



JAN 26 2017

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION I

**5 POST OFFICE SQUARE, SUITE 100
BOSTON, MASSACHUSETTS 02109-3912**

**URGENT LEGAL MATTER
REQUIRES PROMPT RESPONSE**

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

James Kaltsas, President
Maine Standard Biofuels
15 Ingersoll Drive
Portland, ME 04103

Re: Clean Air Act Reporting Requirement

Dear Mr. Kaltsas:

The United States Environmental Protection Agency ("EPA") is evaluating whether Maine Standard Biofuels, located at 15 Ingersoll Drive, Portland, Maine ("Maine Standard Biofuels" or "Facility") is in compliance with the Clean Air Act ("CAA" or "Act") and requirements promulgated under the Act.

Section 114(a)(1) of the Act, 42 U.S.C. Section 7414(a)(1), gives EPA the authority to require any person who owns or operates any emission source to establish and maintain records, make reports, sample emissions, and provide such other information as may reasonably be required to enable EPA to determine whether such person is in compliance with the Act and its implementing regulations.

This reporting requirement orders Maine Standard Biofuels to provide the information listed in each numbered paragraph below within 60 days of receipt of this letter. If Maine Standard Biofuels does not possess some or all of the records or documents that respond to a specific request below, explain why. Where possible, provide responses in an electronic spreadsheet format compatible with Microsoft Excel.

1. Provide the date Maine Standard Biofuels commenced construction at 15 Ingersoll Drive in Portland, Maine (i.e., the date a continuous program of construction was undertaken, or the date a contractual obligation for such a program was entered into).
2. Provide the date Maine Standard Biofuels first produced biodiesel at 15 Ingersoll Drive, Portland, Maine.

3. Describe the current ownership and corporate structure of Maine Standard Biofuels:
 - a. List any partners or corporate officers; and
 - b. List any parent and subsidiary corporations.
4. Provide date the current ownership took control of Maine Standard Biofuels.
5. Provide a description of each storage tank (including any waste wash water tanks) used to store organic material at the Facility, including:
 - a. Tank storage capacity (in gallons);
 - b. Tank type (e.g., vertical fixed roof);
 - c. Type of material the tank is made of;
 - d. Materials stored in the tank. Include the methanol concentration of the materials;
 - e. The maximum true vapor pressure of materials stored in the tank (in kilopascals). Include the temperature used in the determination;
 - f. Method of loading and unloading the tank;
 - g. Any controls used to reduce tank emissions. Include the removal efficiency of the controls and the date any media in the controls was last replaced;
 - h. Types of vents on the tank. Include the vent pressure settings; and
 - i. The date vents and vent pressure settings were last tested.
6. Provide the following information on Maine Standard Biofuels' facility-wide potential-to-emit ("PTE") methanol. Specifically, provide the annual PTE methanol (in tons per year) from:
 - a. **Loading racks.** Include all data, emission factors, and the actual calculations performed. Indicate if methanol emissions from the unloading of sodium methylate are included in the calculation;
 - b. **Storage tanks.** Include all data, emission factors, and actual calculations performed. Indicate if methanol working and breathing emissions from sodium methylate, wet glycerin and waste wash water tanks are included in the calculation;
 - c. **Process vents and open process reactors.** Include all data and methodology used (e.g. the methodology described in 40 C.F.R. § 63.1257(d)(2)(i)), and actual calculations performed. Indicate which process components are included in the calculation; and
 - d. **Fugitive sources.** Include all data and methodology used (e.g. the methodology described in EPA publication EPA-453/R-95-017¹), and actual calculations performed. Indicate if emissions from all valves, pump seals, compressor seals, pressure relief valves, connectors, open ended lines and sampling connections were included in the calculation. Also indicate whether the valves, pump seals, compressor seals, pressure relief valves, connectors, open ended lines and sampling connections are in gas, light liquid, or heavy liquid service, and the method used to make this determination.

¹ Found at <http://www.epa.gov/ttn/chief/efdocs/equip/ks.pdf>

7. Provide copies of data and results from any emissions sampling and/or engineering studies Maine Standard Biofuels has conducted, and any memos or reports that summarize the results of the same.
8. If a leak detection and repair program for equipment in volatile organic compound service is in place at the facility, provide a description of the program.

Biodiesel Production Process

9. Provide a block diagram describing the biodiesel production process and flow of materials through the process. Also provide a description of each piece of equipment in the process, including:
 - a. A physical description of the equipment;
 - b. An explanation of how the equipment is used (include processing and liquid transfer times);
 - c. The capacity of the equipment (in gallons);
 - d. The maximum throughput of the equipment (e.g., in gallons/hour or batches/hour);
 - e. The temperature of the material in the equipment;
 - f. The concentration and partial pressure of methanol in the equipment;
 - g. Any controls used to reduce emissions. Include the removal efficiency of the controls and the date any media in the controls was last replaced;
 - h. The types of vents on the equipment. Include the vent pressure settings. If equipment is open to the atmosphere for any period of time, indicate when this occurs; and
 - i. The date vents and vent pressure settings were last tested.
10. Describe the free fatty acid neutralization process that is used by Maine Standard Biofuel. Include:
 - a. An explanation of why this process is used in lieu of an acid esterification process;
 - b. A step-by-step description of the process including quantity and timing of chemicals added; and
 - c. An explanation of why glycerin and potassium hydroxide are added during this step.
11. Provide the maximum annual biodiesel production capacity (in gallons/year). Include the method of calculation.
12. Provide the largest batch size of biodiesel able to be processed at the facility (in gallons of oil or gallons of biodiesel). Include:
 - a. The time it would take to complete the batch; and
 - b. The number of batches that can be concurrently run.

13. Provide the average ratio of materials used in a production batch described as:
 - a. The ratio of methanol to oil and glycerin to oil added during free fatty acid neutralization;
 - b. The ratio of methanol to oil and sodium methylate (or other catalyst) to oil added during transesterification;
 - c. The gallons of glycerin produced per gallon of biodiesel;
 - d. The gallons of oil feedstock used per gallon of biodiesel; and
 - e. The gallons of waste wash water produced per gallon of biodiesel.
14. Provide the average free fatty acid concentration of the used oil feedstock.
15. Provide a description of any process limitations on production rate or throughput, including the resulting maximum rate of flow of materials (e.g., in gallons/hour or batches/hour).

Wicked Strong Cleaner Production Process

16. Describe how the soap and glycerin that are removed from the biodiesel process are used to produce the Wicked Strong Cleaners. Include a description of other chemicals or feedstocks that are used in the process.
17. Provide a block diagram describing the Wicked Strong Cleaner production process and flow of materials through the process. Also provide a description of each piece of equipment in the process, including:
 - a. A physical description of the equipment;
 - b. An explanation of how the equipment is used (include processing and liquid transfer times);
 - c. The capacity of the equipment (in gallons);
 - d. The maximum throughput of the equipment (e.g., in gallons/hour or batches/hour);
 - e. The temperature of the material in the equipment;
 - f. Any controls used to reduce emissions. Include the removal efficiency of the controls and the date any media in the controls was last replaced;
 - g. Types of vents on the equipment. Include the vent pressure settings. If equipment is open to the atmosphere for any period of time, indicate when this occurs; and
 - h. The date vents and vent pressure settings were last tested.
18. Provide the maximum annual production capacity (in gallons/year) of Wicked Strong Cleaners. Include the method of calculation.
19. Provide the largest batch size of Wicked Strong Cleaner that can be processed at the facility (in gallons). Include:
 - a. The time it would take to complete the batch; and

- b. The number of batches that can be concurrently run.
20. Provide a description of any process limitations on production rate or throughput, including the resulting maximum rate of flow of materials (e.g., in gallons/hour or batches/hour).

Boilers

22.21. Provide the following information for each boiler located at the Facility:

- a. Date of boiler installation;
- b. The fuel(s) burned in each boiler;
- c. Specify whether the boiler is equipped with an oxygen trim system to maintain an optimum air-to-fuel ratio as described at 40 C.F.R. Part 63, Subpart JJJJJ;
- d. The heat input capacity in British thermal units (Btu) per hour; and
- e. Records of boiler tune ups performed from January 2014 to present.

Submissions required by this letter shall be mailed to:

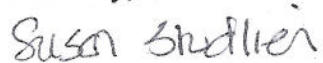
Susan Studlien, Director
Office of Environmental Stewardship
U.S. Environmental Protection Agency, Region 1
5 Post Office Square, Suite 100
Boston, Massachusetts 02109-3912
Attn: Elizabeth Kudarauskas (OES 04-2)

Be aware that if Maine Standard Biofuels does not provide all the information required under this Reporting Requirement on the schedule set out above, EPA may order it to comply and may assess monetary penalties under Section 113 of the Act, 42 U.S.C. § 7413. Note that federal law also establishes criminal penalties for providing false information to EPA. This letter is not subject to Office of Management and Budget review pursuant to the Paperwork Reduction Act, 44 U.S.C. Chapter 35.

You may assert a business confidentiality claim covering part or all of the information requested, in the manner described by 40 CFR § 2.203(b). No information provided under a claim of confidentiality should be sent by email. Information covered by such a claim will be disclosed by EPA only to the extent, and by means of the procedures, set forth in 40 CFR Part 2, Subpart B. Note that certain categories of information, such as emission data, are not properly the subject of such a claim. If no such claim accompanies the information when EPA receives it, EPA may make the information available to the public without further notice to you. Please be aware that states may have different rules and regulations governing the protection of confidential business information.

If you have any questions regarding this reporting requirement, please contact Elizabeth Kudarauskas, Environmental Engineer, at (617) 918-1564, or have your attorney call Tom Olivier, Senior Enforcement Counsel, at (617) 918-1737.

Sincerely,

A handwritten signature in cursive script that reads "Susan Studlien".

Susan Studlien, Director
Office of Environmental Stewardship

cc: Kurt Tidd, ME DEP



U.S. EPA Small Business Resources Information Sheet

The United States Environmental Protection Agency provides an array of resources to help small businesses understand and comply with federal and state environmental laws. In addition to helping small businesses understand their environmental obligations and improve compliance, these resources will also help such businesses find cost-effective ways to comply through pollution prevention techniques and innovative technologies.

Small Business Programs

www.epa.gov/smallbusiness
EPA's Office of Small Business Programs (OSBP) advocates and fosters opportunities for direct and indirect partnerships, contracts, and sub-agreements for small businesses and socio-economically disadvantaged businesses.

EPA's Asbestos Small Business Ombudsman

www.epa.gov/sbo or 1-800-368-5888
The EPA Asbestos and Small Business Ombudsman (ASBO) serves as a conduit for small businesses to access EPA and facilitates communications between the small business community and the Agency.

EPA's Compliance Assistance Homepage

www2.epa.gov/compliance
This page is a gateway industry and statute-specific environmental resources, from extensive web-based information to hotlines and compliance assistance specialists.

EPA's Compliance Assistance Centers

www.assistancecenters.net
EPA's Compliance Assistance Centers provide information targeted to industries with many small businesses. They were developed in partnership with industry, universities and other federal and state agencies.

Agriculture

www.epa.gov/agriculture/

Automotive Recycling

www.ecarcenter.org

Automotive Service and Repair
ccar-greenlink.org/ or 1-888-GRN-LINK

Chemical Manufacturing
www.chemalliance.org

Construction
www.cicacenter.org or 1-734-995-4911

Education
www.campuserc.org

Food Processing
www.fpeac.org

Healthcare
www.hercenter.org

Local Government
www.lgean.org

Metal Finishing
www.nmfrc.org

Paints and Coatings
www.paintcenter.org

Printing
www.pneac.org

Ports
www.portcompliance.org

Transportation
www.tercenter.org

U.S. Border Compliance and Import/Export Issues
www.bordercenter.org

EPA Hotlines, Helplines and Clearinghouses

www2.epa.gov/home/epa-hotlines
EPA sponsors many free hotlines and clearinghouses that provide convenient assistance regarding environmental requirements. Some examples are:

Clean Air Technology Center (CATC) Info-line
www.epa.gov/ttn/catc or 1-919-541-0800

Superfund, TRI, EPCRA, RMP and Oil Information Center
www.epa.gov/superfund/contacts/infocenter/index.htm or 1-800-424-9346

EPA Imported Vehicles and Engines Public Helpline
www.epa.gov/otaq/imports or 734-214-4100

National Pesticide Information Center
www.npic.orst.edu/ or 1-800-858-7378

National Response Center Hotline to report oil and hazardous substance spills - www.nrc.uscg.mil or 1-800-424-8802

Pollution Prevention Information Clearinghouse (PPIC) - www.epa.gov/opptintr/ppic or 1-202-566-0799

Safe Drinking Water Hotline - www.epa.gov/drink/hotline/index.cfm or 1-800-426-4791

Stratospheric Ozone Protection Hotline

www.epa.gov/ozone/comments.htm or 1-800-296-1996

Toxic Substances Control Act (TSCA) Hotline

tsc-hotline@epa.gov or 1-202-554-1404

Small Entity Compliance Guides

<http://www.epa.gov/sbrefa/compliance-guides.html>

EPA publishes a Small Entity Compliance Guide (SECG) for every rule for which the Agency has prepared a final regulatory flexibility analysis, in accordance with Section 604 of the Regulatory Flexibility Act (RFA).

Regional Small Business Liaisons

<http://www.epa.gov/sbo/rsbl.htm>

The U.S. Environmental Protection Agency (EPA) Regional Small Business Liaison (RSBL) is the primary regional contact and often the expert on small business assistance, advocacy, and outreach. The RSBL is the regional voice for the EPA Asbestos and Small Business Ombudsman (ASBO).

State Resource Locators

www.envcap.org/statetools

The Locators provide state-specific contacts, regulations and resources covering the major environmental laws.

State Small Business Environmental Assistance Programs (SBEAPs)

www.epa.gov/sbo/507program.htm

State SBEAPs help small businesses and assistance providers understand environmental requirements and sustainable business practices through workshops, trainings and site visits.

EPA's Tribal Portal

www.epa.gov/tribalportal/

The Portal provides access to information on environmental issues, laws, and resources related to federally recognized tribes.

EPA Compliance Incentives

EPA provides incentives for environmental compliance. By participating in compliance assistance programs or voluntarily disclosing and promptly correcting violations before an enforcement action has been initiated, businesses may be eligible for penalty waivers or reductions. EPA has two such policies that may apply to small businesses:

EPA's Small Business Compliance Policy

www2.epa.gov/enforcement/small-businesses-and-enforcement

This Policy offers small businesses special incentives to come into compliance voluntarily.

EPA's Audit Policy

www2.epa.gov/compliance/epas-audit-policy

The Policy provides incentives to all businesses that voluntarily discover, promptly disclose and expeditiously correct their noncompliance.

Commenting on Federal Enforcement Actions and Compliance Activities

The Small Business Regulatory Enforcement Fairness Act (SBREFA) established a SBREFA Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. If you believe that you fall within the Small Business Administration's definition of a small business (based on your North American Industry Classification System designation, number of employees or annual receipts, as defined at 13 C.F.R. 121.201; in most cases, this means a business with 500 or fewer employees), and wish to comment on federal enforcement and compliance activities, call the SBREFA Ombudsman's toll-free number at 1-888-REG-FAIR (1-888-734-3247).

Every small business that is the subject of an enforcement or compliance action is entitled to comment on the Agency's actions without fear of retaliation. EPA employees are prohibited from using enforcement or any other means of retaliation against any member of the regulated community in response to comments made under SBREFA.

Your Duty to Comply

If you receive compliance assistance or submit a comment to the SBREFA Ombudsman or Regional Fairness Boards, you still have the duty to comply with the law, including providing timely responses to EPA information requests, administrative or civil complaints, other enforcement actions or communications. The assistance information and comment processes do not give you any new rights or defenses in any enforcement action. These processes also do not affect EPA's obligation to protect public health or the environment under any of the environmental statutes it enforces, including the right to take emergency remedial or emergency response actions when appropriate. Those decisions will be based on the facts in each situation. The SBREFA Ombudsman and Fairness Boards do not participate in resolving EPA's enforcement actions. Also, remember that to preserve your rights, you need to comply with all rules governing the enforcement process.

EPA is disseminating this information to you without making a determination that your business or organization is a small business as defined by Section 222 of the Small Business Regulatory Enforcement Fairness Act or related provisions.